

RE: DOCKET 04-233 - BROADCAST LOCALISM

- A. - DISCUSSION
- I. - REQUEST TO EXTEND COMMENT PERIOD
- II. - REQUEST FOR FCC TO HOLD ADDITIONAL PUBLIC HEARINGS

A. DISCUSSION

To Commissioners, and staff of the Localism Task Force:

In August 2003, shortly after an outcry from the public, various public interest organizations, and lawmakers over the FCC's June 2003 decision to change media ownership rules, FCC Chairman Powell launched the Localism Initiative, whereby the agency would undertake a comprehensive study to ascertain how broadcast communications are serving local communities. In October 2003, the FCC issued a press release (RM-10803) announcing dates for six official public hearings dedicated to the study of localism, which was to conclude in Washington DC in June 2004.

Unfortunately, the schedule for the public hearings were not adhered to, and adjustments have been made. For example, the Localism hearing originally scheduled for March 2004 in Monterey, California was postponed until July 2004.

In addition to extending the schedule to include the Monterey hearing, the Commission and Localism Task Force also extended the deadline for responding to the Notice Of Inquiry (NOI) by one month, until November 2004.

To date, the remaining meetings, originally scheduled for Portland, Maine in May 2004 and for Washington, D.C. in June 2004, have not been rescheduled.

The expectation is that the FCC will follow-through on its promise to hold these public hearings, with the understanding that such hearings are critical to the comprehensive study of Localism across the media spectrum. Hopefully the FCC and the Localism Task Force will at least complete all six of the scheduled hearings before releasing a report and recommendations for proposed rules or legislation to enhance Localism.

However, in light of the decision issued by the Third Circuit Court in June 2004, it is recommended that the Commission should not only hold the remaining two hearings, but to hold additional public hearings in more communities across the US should be held, as Commissioners Copps and Adelstein had taken upon themselves. This would offer an opportunity for a public education effort and public participation that could also encourage and raise the quality of dialogue between broadcasters and the communities they serve on how to better promote localism.

Until additional public hearings are held, the Commission should refrain from implementing rules that would undermine the opportunity to enhance and improve Localism, and accountability of broadcasters to their local communities.

With these factors, please consider these two recommendations:

I. - REQUEST TO EXTEND COMMENT PERIOD FOR THE LOCALISM DOCKET

Delaying the public hearings has been a lost opportunity for other local communities across the US to better understand and/or to weigh in on the

Localism Initiative. The Commission should hold to its promise to complete at least the public hearings originally scheduled.

Until these public hearings are held and concluded, the Commission should extend the period for the NOTICE OF INQUIRY on Docket 04-233 . The Commission and Localism Task Force will not be well-served to introduce new rules or legislation without completing a comprehensive study of the issue; nor should it proceed without engaging the public in a dialogue for a more thorough ascertainment of the effects of Localism-enhancing rules on local communities.

II. THE FCC SHOULD HOLD ADDITIONAL OFFICIAL PUBLIC HEARINGS AND FORUMS IN LOCAL COMMUNITIES ACROSS THE U.S.

With no federal standards currently in place prescribing to broadcasters any comprehensive ascertainments of communities' unique and specific needs, nor any process to evaluate and hold accountable those broadcasters and media providers serving the local communities, there is a vacuum of information to guide the Commission and media providers on how media resources should best fulfill community needs, and the local effects of media concentration.

The decision issued by the US Court of Appeals for the Third Circuit on June 24, 2004 brings a focus on the important role of public comment within the decision-making process of determining communications policy, and includes in footnotes the public forums held by two of the Commissioners.

We join lawmakers, media policy groups, and citizens in calling for additional public forums and hearings, as well as a comprehensive study of how media resources shall be allocated and shall serve local communities, before changes are introduced by the Localism Task Force and the Commission, or recommendations for legislation are introduced to Congress.

CONCLUSION:

Thank you for this opportunity to submit comments. I look forward to an improved processes whereby media providers and the community can work together to define community needs and interests, that serves all sectors of local community, businesses, and institutions for mutually beneficial purposes.

Sincerely,

Clayton J. Leander
Board member, Diablo Video Arts
District 1 Representative, Contra Costa County Cable Task (1999-2001)
Public Policy Committee, Alliance for Community Media - Western Region